

10 KAR 3:030. Establishing and funding telehealth network rural sites.

RELATES TO: KRS 11.550, 45A.605, 197.020, 205.510, 205.559, 211.195, 304.17A-005, 304.17A-138, 310.200, 311.550, 311.5975, 312.220, 313.255, 314.155, 314A.230, 315.310, 319.140, 319A.300, 320.390, 327.200, 334A.200, 335.158, 335.380

STATUTORY AUTHORITY: KRS 11.550(3)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 11.550(3) requires the Telehealth Board to promulgate administrative regulations relating to the establishment of telehealth training centers, the development of a telehealth network of rural sites, the establishment of protocols and standards to be followed by the training centers and rural sites, and the maintenance of the central link for the network with the Kentucky information highway. This administrative regulation establishes a telehealth network, to coordinate with the training centers, of no more than twenty-five (25) rural sites, to be established based on the availability of funding and in accordance with criteria set by the board. In addition to these rural sites, the board may identify, for participation in the Telehealth Network, ten (10) local health departments, five (5) of which shall be administered by the University of Kentucky and five (5) of which shall be administered by the University of Louisville. This administrative regulation also establishes basic criteria therefor.

Section 1. Definitions. (1) "Health care facility" means a hospital including a physical health hospital, psychiatric hospital, or rehabilitation center; or a clinic, private practitioner's office, public health facility, nursing home or assisted living center, community mental health/mental retardation facility, school clinic, correctional facility clinic, and other facilities that normally provide health care services such as an outpatient dialysis center; or a patient's home for home health services.

(2) "Health professional(s) shortage area (HPSA)" means:

(a) An urban or rural area;

(b) A population group; or

(c) A public or private nonprofit medical facility or other public facility that has a shortage of health-care professionals as determined by the Secretary of the U.S. Department of Health and Human Services pursuant to 42 CFR Part 5.

(3) "Medically-underserved area (MUA)" means an urban or rural area designated by the Secretary of the U.S. Department of Health and Human Services as an area with a shortage of personal health services, or a population group designated by the Secretary of the U.S. Department of Health and Human Services as having a shortage of such services pursuant to 42 CFR Part 51c.

(4) "Rural site" means a health care facility in a county with a population of less than 100,000 people, based on the 1990 Census Data developed by the State Data Center at the University of Louisville, that serves as a regional health care provider to one (1) or more counties designated as a health professional shortage area (HPSA) or medically-underserved area (MUA), or is a designated HPSA or MUA county as identified by the Bureau for Health Care Data Services (BHCDNet), updated 8/07/2000.

(5) "Telehealth" means the use of interactive audio, video, or other electronic media to improve access to health resources including the use of electronic media for diagnosis, consultation, treatment, transfer of medical data, and medical education.

Section 2. Rural Sites Basic Criteria. To be selected as a rural site on the Telehealth Network, the following criteria shall be met:

(1) The site shall be defined as a health care facility.

- (2) The site shall meet the definition of a rural site.
- (3) The site shall comply with all federal and state laws and regulations relating to health care facilities.
- (4) The site shall be required to sign and comply with all terms and conditions contained in its contract with the board.
- (5) The site shall comply with all criteria, protocols, and standards as set forth by the board.

Section 3. Rural Site Selection Process. The Telehealth Board shall make the rural site selections pursuant to the provisions of KRS Chapter 45A and based on the availability of funding.

Section 4. Local Health Department Selection Process. The Telehealth Board shall make the local health department selections pursuant to criteria established by the Telehealth Board for that purpose and based on the availability of funding. Local health departments so selected will enter into a Memorandum of Agreement (MOA) between the local health department, the Telehealth Board, and the University that will administer the program.

Section 5. Disbursement of Funds. Disbursement of funds shall be determined by the Telehealth Board based on the availability of funding. Successful applicants shall be notified pursuant to the provisions of KRS Chapter 45A.

Section 6. Reporting Requirements. The Telehealth Network rural sites shall submit semi-annual progress reports to the Telehealth Board based on criteria developed by the Telehealth Board. (27 Ky.R. 3182. 28 Ky.R. 65; eff. 7-16-2001.)